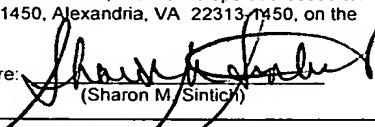


I hereby certify that this correspondence is being deposited with the U.S. Postal Service with ~~same~~ postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: July 9, 2004

Signature: 

(Sharon M. Sintich)

Docket No.: 28335/39196A  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Lauren O. Bakaletz et al.

Application No.: 10/807,746

Confirmation No.: 6532

Filed: March 24, 2004

Art Unit: 1645

For: Nontypeable *Haemophilus Influenzae*  
Virulence Factors

Examiner: Not Yet Assigned

**INFORMATION DISCLOSURE STATEMENT (IDS)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

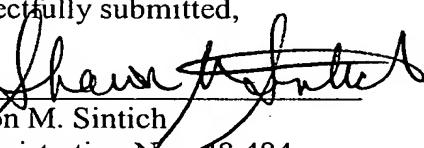
Pursuant to 37 CFR §§ 1.56, 1.97, and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached Form PTO-1449. Copies of all documents listed on the Form PTO-1449 (C1-C26) are submitted herewith. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

This Information Disclosure Statement is being submitted before receipt of the first official action on the merits in the above-identified patent application. Accordingly, it is believed no fee is due in this matter pursuant to 37 C.F.R. § 1.97(b). The Commissioner is authorized to charge any fee due related to this statement to Deposit Account No. 13-2855.

Dated: July 9, 2004

Respectfully submitted,

By 

Sharon M. Sintich

Registration No.: 48,484

MARSHALL, GERSTEIN & BORUN LLP

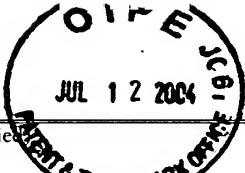
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## INFORMATION DISCLOSURE STATEMENT

Atty. Docket No. 28335/39196A	Serial No. 10/807,746
Applicant(s) Bakaletz et al.	
Filing Date March 24, 2004	Art Unit 1645

## U.S. PATENT DOCUMENTS

Examiner Initials	Document Number	Issue or Publication Date	Name	Class	Subclass	Filing Date (If Appropriate)

## FOREIGN PATENT DOCUMENTS

Examiner Initials	Document Number	Publication Date	Country	Translation	
				Yes	No

## OTHER DOCUMENTS

C1	Barenkamp, <i>et al.</i> , Outer Membrane Protein and Biotype Analysis of Pathogenic Nontypable <i>Haemophilus influenzae</i> , <i>Infection and Immunity</i> , 36(2): 535-540 (May 1982).
C2	Musser, <i>et al.</i> , Genetic Relationships of Serologically Nontypable and Serotype b Strains of <i>Haemophilus influenzae</i> , <i>Infection and Immunity</i> , 52(1): 183-191 (April 1986).
C3	Spinola, <i>et al.</i> , Epidemiology of Colonization by Nontypable <i>Haemophilus influenzae</i> in Children: A Longitudinal Study, <i>Journal of Infectious Diseases</i> , 154(1): 100-109 (July 1986).
C4	Bakaletz, <i>et al.</i> , Frequency of Fimbriation of Nontypable <i>Haemophilus influenzae</i> and Its Ability To Adhere to Chinchilla and Human Respiratory Epithelium, <i>Infection and Immunity</i> , 56(2): 331-335 (February 1988).
C5	Parra-Lopez, <i>et al.</i> , Molecular Genetic Analysis of a Locus Required For Resistance to Antimicrobial Peptides in <i>Salmonella typhimurium</i> , <i>EMBO</i> 12(11): 4053-4062 (1993).
C6	Bakaletz, <i>et al.</i> , Modeling Adenovirus Type 1-Induced Otitis Media in the Chinchilla: Effect on Ciliary Activity and Fluid Transport Function of Eustachian Tube Mucosal Epithelium, <i>Journal of Infectious Diseases</i> , 168: 865-872 (1993).

Form PTO-1449 (Modified)	Atty. Docket No. 28335/39196A	Serial No. 10/807,746
INFORMATION DISCLOSURE STATEMENT		
	Applicant(s) Bakaletz et al.	
	Filing Date March 24, 2004	Art Unit 1645

C7	Suzuki, <i>et al.</i> , Synergistic Effect of Adenovirus Type 1 and Nontypeable <i>Haemophilus influenzae</i> in a Chinchilla Model of Experimental Otitis Media, <i>Infection and Immunity</i> , 62(5): 1710-1718 (May 1994).
C8	Giebink, Immunology: Promise of New Vaccines, <i>Ped. Infect Dis. J.</i> , 13(11): 1064-1068 (1994).
C9	Karma, <i>et al.</i> , Immunological Aspects of Otitis Media: Present Views on Possibilities of Immunoprophylaxis of Acute Otitis Media in Infants and Children, <i>International Journal of Pediatric Otorhinolaryngology</i> , 32 (Suppl.): S127-S134 (1995).
C10	DeMaria, <i>et al.</i> , Immunization with Outer Membrane Protein P6 from Nontypeable <i>Haemophilus influenzae</i> Induces Bactericidal Antibody and Affords Protection in the Chinchilla Model of Otitis Media, <i>Infection and Immunity</i> , 64(12): 5187-5192 (December 1996).
C11	Jerome, Role of Nontypeable <i>Haemophilus influenzae</i> in Pediatric Respiratory Tract Infections, <i>Ped. Infect Dis. J.</i> , 16(2): S5-S8 (February 1997).
C12	Bakaletz, <i>et al.</i> , Relative Immunogenicity and Efficacy of Two Synthetic Chimeric Peptides of Fimbrin as Vaccinogens Against Nasopharyngeal Colonization by Nontypeable <i>Haemophilus influenzae</i> in the Chinchilla, <i>Vaccine</i> , 15(9): 955-961 (June 1997).
C13	Holmes, <i>et al.</i> , Adherence of Non-Typeable <i>Haemophilus influenzae</i> Promotes Reorganization of the Actin Cytoskeleton in Human or Chinchilla Epithelial Cells <i>in vitro</i> , <i>Microbial Pathogenesis</i> , 23: 157-166 (1997).
C14	López-Solanilla, <i>et al.</i> , Inactivation of the <i>sapA</i> to <i>sapF</i> Locus of <i>Erwinia chrysanthemi</i> Reveals Common Features in Plant and Animal Bacterial Pathogenesis, <i>Plant Cell</i> , 10: 917-924 (June 1998).
C15	Bakaletz, <i>et al.</i> , Protection against Development of Otitis Media Induced by Nontypeable <i>Haemophilus influenzae</i> by Both Active and Passive Immunization in a Chinchilla Model of Virus-Bacterium Superinfection, <i>Infect. Immunity</i> 67(6): 2746-2762 (June 1999).
C16	Novotny, <i>et al.</i> , Epitope Mapping of the Outer Membrane Protein P5-Homologous Fimbrin Adhesin of Nontypeable <i>Haemophilus influenzae</i> , <i>Infection and Immunity</i> , 68(4): 2119-2128 (April 2000).
C17	Kennedy, <i>et al.</i> , Passive Transfer of Antiserum Specific for Immunogens Derived from a Nontypeable <i>Haemophilus influenzae</i> Adhesin and Lipoprotein D Prevents Otitis Media after Heterologous Challenge, <i>Infection and Immunity</i> , 68(5): 2756-2765 (May 2000).
C18	Black, <i>et al.</i> , Efficacy, Safety and Immunogenicity of Heptavalent Pneumococcal Conjugate Vaccine in Children, <i>Ped. Infect. Dis. J.</i> , 19(3): 187-195 (2000).
C19	Eskola, <i>et al.</i> , Potential of Bacterial Vaccines in the Prevention of Acute Otitis Media, <i>Ped. Infect. Dis. J.</i> , 19(5): S72-S78 (2000).

EXAMINER:	DATE CONSIDERED:
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Form PTO-1449 (Modified)	Atty. Docket No. 28335/39196A	Serial No. 10/807,746
INFORMATION DISCLOSURE STATEMENT		
	Applicant(s) Bakaletz et al.	
	Filing Date March 24, 2004	Art Unit 1645

C20	Eskola, <i>et al.</i> , Efficacy of A Pneumococcal Conjugate Vaccine Against Acute Otitis Media, <i>N. Engl. J. Med.</i> , 344(6): 403-409 (February 2001).
C21	Poolman, <i>et al.</i> , Developing a Nontypeable <i>Haemophilus influenzae</i> (NTHi) Vaccine, <i>Vaccine</i> , 19: S108-S115 (2001).
C22	Snow, Progress in the Prevention of Otitis Media Through Immunization, <i>Otology &amp; Neurotology</i> , 23(1): 1-2 (2002).
C23	Genebank Accession No. Q9K1VA, Hemoglobin Binding Protein A Precursor, October 16, 2001.
C24	Parra-Lopez <i>et al.</i> , A <i>Salmonella</i> Protein that is Required for Resistance to Antimicrobial Peptides and Transport of Potassium, <i>EMBO J.</i> 13(17): 3964-3972 (1994).
C25	Bakaletz <i>et al.</i> , Evidence for Transduction of Specific Antibodies into the Middle Ear of Parenterally Immunized Chinchillas after an Upper Respiratory Infection with Adenovirus <i>Clin. Diag. Lab. Immunol.</i> 4(2): 223-225 (March 1997).
C26	McCoy <i>et al.</i> , Identification of <i>Proteas mirabilis</i> with Increased Sensitivity AntiMicrobial Peptides, <i>Antimicrob. Agents Chemother.</i> 45(7): 2030-2037 (July 2001).

EXAMINER:	DATE CONSIDERED:
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